

## REQUEST FOR COUNCIL ACTION

MEETING  
DATE: 09-03-03

219 -

AGENDA SECTION:  
PUBLIC HEARINGS

ORIGINATING DEPT:  
PLANNING

ITEM NO.

E-12

ITEM DESCRIPTION: Annexation Petition #03-20 by Joel Bigelow, Robert & Cheryl Nelson and Doug & Rhonda Abbott to annex approximately 35.97 acres of land located along the north side of 55<sup>th</sup> Street NW and along the east side of 60<sup>th</sup> Avenue NW. The property is located in the SW ¼ of the SW ¼ Section 7 Cascade Township.

PREPARED BY:  
Theresa Fogarty,  
Planner

August 28, 2003

### City Planning and Zoning Commission Recommendation:

The City Planning and Zoning Commission reviewed this annexation request on August 27, 2003. The Commission found that this property is adjacent to the City limits and can be served by city water services and sanitary sewer being available upon the extension of the trunk sewer from the Weatherstone development, running along the Douglas Trail. The Planning Commission therefore recommends approval of this request.

Mr. Haeussinger moved to recommend approval of Annexation Petition #03-20 Joel Bigelow, Robert & Cheryl Nelson and Doug & Rhonda Abbott by Larry Brown as recommended by staff. Mr. Dockter seconded the motion. The motion carried 8-0.

### Planning Department Recommendation:

See attached staff report, dated August 20, 2003.

Minnesota Statutes now specify that the property taxes payable in the year an annexation is effective shall be paid to the Township. For the five years following the annexation, the City must make a cash payment to the Township equaling 90%, 70%, 50%, 30% and 10% of the Townships share of the taxes in the year the property was annexed. The Township Taxes on this property for 2003 is \$626.62.

### Council Action Needed:

1. Following the public hearing, if the Council wishes to proceed as petitioned, it should instruct the City Attorney to prepare an ordinance to be adopted and transmitted to the MN Planning /Office of Strategic and Long Range Planning.

### Attachments

1. Staff report, dated August 20, 2003.
2. Draft copy of the minutes of the August 27, 2003, CPZC meeting

### Distribution:

1. City Administrator
2. City Clerk
3. City Attorney: Legal Description Attached
4. City Finance Director: Tax Information Attached
5. Planning Department File
6. Applicant: This item will be considered sometime after 7:00 p.m. on WEDNESDAY, September 3, 2003 in the Council Chambers at the Rochester / Olmsted County Government Center.
7. McGhie & Betts, Inc.

COUNCIL ACTION: Motion by: \_\_\_\_\_ Second by: \_\_\_\_\_ to: \_\_\_\_\_

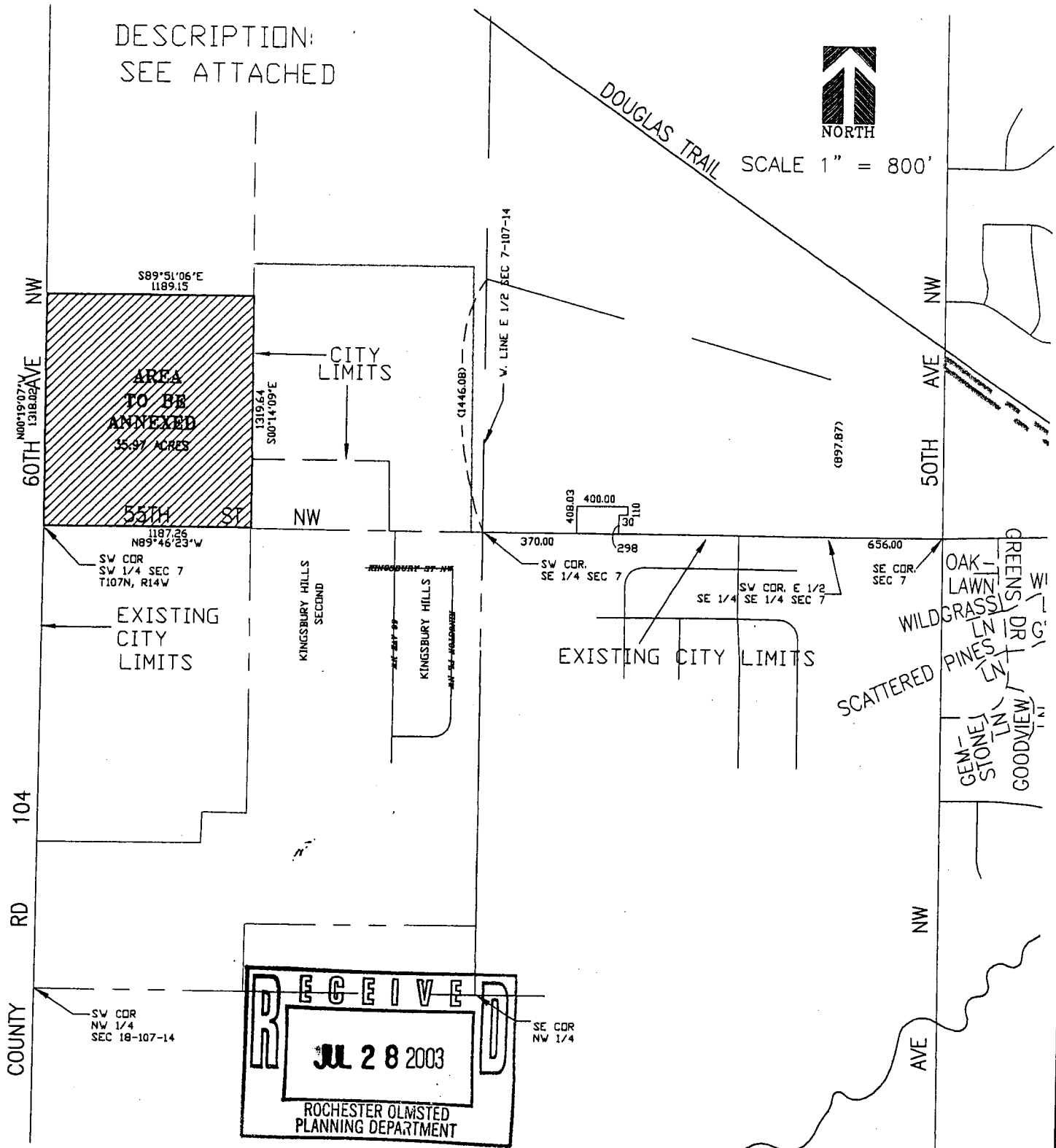
220

# ANNEXATION EXHIBIT

DESCRIPTION:  
SEE ATTACHED



SCALE 1" = 800'



FOR :

BIGELOW ENTERPRISES  
706 CTY RD 3 NW  
BYRON, MN  
55920

Land Surveying

Urban-Land  
Planning

Consulting - Civil  
Engineering

1648 Third Avenue S.E.  
Rochester, MN 55904  
Telephone 507.280.3018  
Facsimile 507.280.7000

McGhie



Betts, Inc.

Geotechnical  
Engineering

Construction Material  
Testing

Landscape  
Architecture

email:

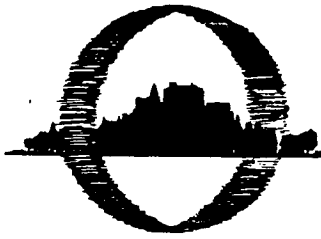
SCALE: 1" = 800'

DRAWN BY: MMM

DATE: 07/07/03

ACCT. NO.: 1084/2309 Cadd No. 2309ANNE

FILE NO.: RK PG



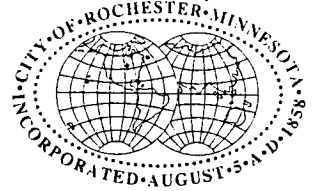
## ROCHESTER-OLMSTED PLANNING DEPARTMENT

2122 Campus Drive SE, Suite 100 • Rochester, MN 55904-4744

COUNTY OF

*Olmsted*

[www.olmstedcounty.com/planning](http://www.olmstedcounty.com/planning)



**TO:** City Planning and Zoning Commission

**FROM:** Theresa Fogarty, Planner

**DATE:** August 20, 2003

**RE:** Annexation Petition #03-20 by Joel Bigelow, Robert & Cheryl Nelson and Doug & Rhonda Abbott to annex approximately 35.97 acres of land located along the north side of 55<sup>th</sup> Street NW and along the east side of 60<sup>th</sup> Avenue NW. The property is located in the SW ¼ of the SW ¼ Section 7 Cascade Township.

### Planning Department Review:

**Applicants/Owners:**

Joel Bigelow & Sons Enterprises  
706 County Road 3 NW  
Byron, MN 55920

Robert & Cheryl Nelson  
5829 NW 55<sup>th</sup> Street  
Rochester, MN 55901

Doug and Rhonda Abbott  
5833 NW 55<sup>th</sup> Street  
Rochester, MN 55901

**Architect/Engineer:**

McGhie & Betts, Inc.  
1648 Third Avenue SE  
Rochester, MN 55904

**Existing Land Use:**

This property is currently undeveloped land.

**Existing Zoning:**

The property is zoned A-4 (Agricultural Urban Expansion) District on the Olmsted County zoning map.

**Future Zoning:**

Upon annexation, the property will be zoned R-1 (Mixed Single Family Residential) district on the Rochester zoning map.

**Land Use Plan:**

This property is designated for "low density residential" uses on the Rochester Urban Service Area Land Use Plan.

**Adjacency to the Municipal Limits:**

The property is adjacent to the city limits along the eastern and SW corner boundaries.



**Sewer & Water:**

This area is within the Northwest High Level Water System Area, which will be made available to this property with the completion of Kingsbury Hills Fourth.

The property can be served with Municipal Water. Sanitary sewer is not immediately available to serve this property. Sanitary sewer will be available upon extension of the trunk sewer from the Weatherstone development running along the Douglas Trail.

**Utilities:**

Pursuant to Minnesota Statutes 414.033 (subd. 13), a municipality must notify a petitioner that the cost of electric utility service may change if the land is annexed to the municipality. A notice has been provided to the applicant.

**Townboard Review:**

Minnesota State Statutes require that the Townboard members receive a written notice, by certified mail, 30 days prior to the public hearing. The City Council will hold a public hearing on this item on Wednesday, September 3, 2003. The City Clerk has sent the certified 30 day notice.

**Referral Comments:**

No referral comments attached

**Report Attachments:**

1. Annexation Map / Location Map

**Staff Recommendation:**

This property is adjacent to the City limits and can be served by city water services and sanitary sewer will be available upon extension of the trunk sewer from the Weatherstone development, running along the Douglas Trail. The Planning staff recommends that the City proceed to adopt an ordinance annexing the property according to Minnesota Statutes 414.033, Subdivision 2(3).

223-

Draft Minutes of the City Planning & Zoning Commission  
Date of Hearing: August 27, 2003

**ANNEXATION:**

**Annexation Petition #03-20 by Joel Bigelow, Robert & Cheryl Nelson and Doug & Rhonda Abbott to annex approximately 35.97 acres of land located along the north side of 55th Street NW and along the east side of 60<sup>th</sup> Avenue NW. The property is located in the SW ¼ of the SW ¼ Section 7 Cascade Township.**

Mr. Brent Svenby presented the staff report, dated August 20, 2003, to the Commission. The staff report is on file at the Rochester-Olmsted Planning Department.

**Mr. Haeussinger moved to recommend approval of Annexation Petition #03-20 by Joel Bigelow, Robert & Cheryl Nelson and Doug & Rhonda Abbott as recommended by staff. Mr. Dockter seconded the motion. The motion carried 8-0.**

